

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

FILED  
CLERKS OFFICE

<p>JAMES J. NIZZO and VIRGINIA C. NIZZO, As Joint Tenants, and CARLO CILIBERTI, On Behalf of Themselves And All Others Similarly Situated</p> <p style="text-align: right;">Plaintiffs,</p> <p style="text-align: center;">v.</p> <p>BIOPURE CORPORATION, THOMAS A. MOORE, CARL W. RAUSCH, and RONALD F. RICHARDS,</p> <p style="text-align: right;">Defendants.</p>	<p style="text-align: right;">APR 21 P 2:29</p> <p style="text-align: center;">DISTRICT COURT DISTRICT OF MASS.</p> <p>Civil Action No.04-CV-10065 Honorable Nancy Gertner</p>
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AMENDED NOTICE OF WITHDRAWAL

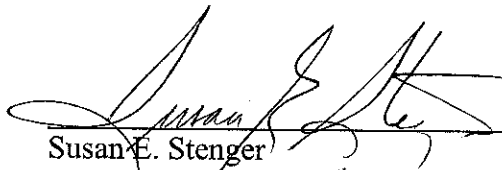
TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

In accordance with Rule 41(a) of the Federal Rules of Civil Procedure, and in light of the several other similar lawsuits representing greater stockholdings, Plaintiffs hereby dismiss this action (District of Massachusetts Civil Action No. 04-CV-10065).

Dated: April 20, 2004

Respectfully submitted,

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2004 APR 21 P 2:29

April 20, 2004

DISTRICT COURT  
DISTRICT OF MASS.

Jennifer Filo,  
Docket Clerk to Judge Gertner  
Clerk's Office  
United States District Court  
John Joseph Moakley U.S. Courthouse  
One Courthouse Way  
Boston, MA 02210

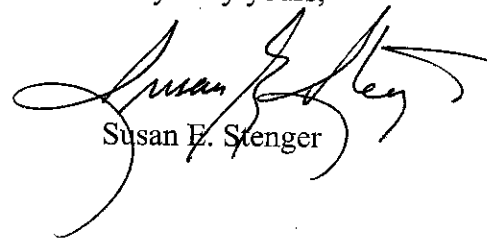
Re: James J. Nizzo et al. v. Biopure Corporation et al  
United States District Court Docket No. 04-10065NG

Dear Ms. Filo:

Pursuant to your request, please find enclosed an Amended Notice of Withdrawal, which contains the original plaintiffs' names in the caption.

If you have any questions, please do not hesitate to call me at 617-854-4228.

Very truly yours,



Susan E. Stenger

ses-lt court-29437-2

Enclosure

cc: Samuel Rosen, Esquire  
Marc I. Gross, Esquire  
Service List